IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF VERMONT

MISTY BLANCHETTE PORTER, M.D.,

Plaintiff,

VS.

DARTMOUTH-HITCHCOCK MEDICAL CENTER, DARTMOUTH-HITCHCOCK CLINIC, MARY HITCHCOCK MEMORIAL HOSPITAL, and DARTMOUTH-HITCHCOCK HEALTH,

Defendants.

Case No. 5:17-cv-194

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON ALL CLAIMS

Defendants Dartmouth-Hitchcock Medical Center, Dartmouth-Hitchcock Clinic, Mary Hitchcock Memorial Hospital, and Dartmouth-Hitchcock Health (collectively, "Defendants"), by and through their attorneys, hereby move pursuant to Fed. R. Civ. P. 56 for summary judgment on all claims asserted by Misty Blanchette Porter, M.D. (the "Plaintiff"). Defendants rely on the arguments presented in the accompanying Memorandum of Law in Support of Defendants' Motion for Summary Judgment on All Claims filed herewith.

WHEREFORE, Defendants respectfully request that the Court enter judgment in their favor and against Plaintiff on all claims pursuant to Fed. R. Civ. P. 56 and grant such other relief as it deems just and proper.

Request for Oral Argument

Pursuant to Local Rule 7(a)(6), Defendants respectfully request oral argument on the grounds that Defendants believe that oral argument will allow the parties to fully address any and

all issues relating to the Motion, particularly given its dispositive nature, and that oral argument will assist the Court in deciding those same issues.

Dated: January 29, 2020 Respectfully submitted,

/s/ Tristram J. Coffin

Tristram J. Coffin DOWNS RACHLIN MARTIN PLLC Courthouse Plaza 199 Main Street Burlington, VT 05402 Telephone: 802-863-2375

tcoffin@drm.com

and

Donald W. Schroeder (admitted *pro hac vice*)
Jessica E. Joseph (admitted *pro hac vice*)
FOLEY & LARDNER LLP
111 Huntington Avenue
Boston, MA 02199
Tel: (617) 342-4000

Fax: (617) 342-4000 dschroeder@foley.com jjoseph@foley.com

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that, on January 29, 2020, a copy of the foregoing document was electronically filed through the ECF system and will be sent electronically to all persons identified on the Notice of Electronic Filing.

/s/ Tristram J. Coffin
Tristram J. Coffin